Preserve

App. F. IX-4

1934-35
(Mrz)

Mrz File No. 820-3
Serial Nos. 1-7

*Previous References*
Mrz 206 33-1-3
Mrz C-32-1-2
Mrz 157 32-1-2
Mrz 63 29-14
*Letter References*
Mrz 6-2- 1-12-13
Mrz 2220--36--1-6a
da

# GENERAL AND REVENUE SECRETARIAT.

*Serial Nos.* 7

**Part B for** February 1936

**SUBJECT.**

Erection of C. Mohamed Ibrahim Sab from a house and open space in S.No 92 of Mothanas pur belonging to Sri Lakshmi-narasimha Swamy temple at the Place

No 1056 dt 1-2-36

To C. Mohamed Ibrahim Sahib

WD 03607—GPB—22,500—2-8 35

Mer Grant
Mothanas pur

vs Exception

Re: Properties belonging to Sri Lakshmi Narasimha Swamy temple at Holenarasipur

[App. F. III—4

General and Revenue Secretariat | File No. 320 of 1934-35

Serial No.

Petition dt 29.9.34 filed by one T. Appa Rao Advocate Bangalore on behalf of one C. Mahomed Ibrahim Sahib of Holenarasipur stating his willingness to execute any undertaking in writing in favour of Sri Lakshminarasimha Swamy temple at Holenarasipur in respect of the lands granted to him.

Petition dt 29.9.34 filed by the same Advocate on behalf of one C. Md. Ibrahim Sab of Holenarasipur praying that the order of eviction passed by the Subordinate Officer from the land held by him may be held in abeyance pending disposal of the petition

Minute of the Second Member.

I :—

Vide

S. No 92 referred to in the D.C.'s letter is one among several other numbers belonging to Sri Lakshminarasimha Swamy temple at Holenarasipur. The present petitioner along with another Viz one Nanjappa of Holenarasipur presented a number of petitions to the Asst. officers in respect of the temple lands. The D.C's letter of 29-4-30 explains the position of the petitions in respect of these lands. The petitioners, [illegible]

x M.

NOTE—Contn. Sheet.

WD 01955—GPB—22,500—12-6-34

Re: properties belonging to Sri Lakshmi Narasimha Temple - Hdqrs. Memorandum -

File No. of 1934. General and Revenue Secretariat

given opportunities for taking the lands either on lease or for buying them up at the price fixed by the Govt. did not avail himself of the same. They had filed an appeal petn. & Govt. on the subject; both in appl. and in Review their prayer in respect of their claim for the temple lands was vetoed. (vide para 1 of the note in misc 246-33-3) Failing in his previous attempts to set up a claim for the temple lands, the petnr. has now filed the present petn. in respect of a building probably raised on S. No. 92, an Inam land of the Instn. In their attempts to take possession of the temple lands & lease them out to the advantage of the Instn, the local Offrs. have served the petnrs with a notice to vacate the building within a fortnight failing which he would take steps to pull down the building on the cultivable Inam land and lease it out. The petnrs have further prayed for a stay order. The steps that are being taken by the lower offrs are for the benefit of the temple; in view of the attitude of the petnrs all along in respect of these lands, his request to keep them for orders. Subj. to what is stated in para 1 supra. As personally cognizant of the matter I agree with the proposal that this petn may be rejected. C.S. 3/11

Ms 18/10 ND 19/10 - 31 The question of the demolition of

The C.W. Govt. complain the delay in the disposal of this case but the delay is unavoidable in view of the circumstances explained in para 1 of the note

3/11

Serial No.

The building has not been considered before as the encroachment of the building has not been brought to notice. As such if, what the petitioner now states is true, some legal difficulty may arise if the building is demolished. If allowed a stay order may be issued and the records called for with a detailed report.

23/10/34

II Member)

OFFICE OF THE SECOND MEMBER OF COUNCIL. 24 OCT. 1934 NO.

4) A report may be called for. No stay order need be granted

2/11

3/11

5

Memo of forwarding put up which P.W.D is for Kind Signature [The records also are called for].

6 Affr. re: vetting the request for a Stay order is also filed

3/11

3/11

Petition sent to the Navy Comdr with this office no 660 of 3-11-34. Calling for a report together with the connected records



WD 01966—GPB—22,500—12-6-34

No 664 of 3.11.34 to Mr T. Atchyuta Rao Advocate. Balepet. Bangalore City intimating that no stay order can be granted

No 665 of 3/4/34 to Mr Md. Ibrahim Sahib of Madanapalle forwarding for his information copy of the above communication.

Re: a building (
S. No 92 belonging to Sri Lakshminarasimha
Swamy temple at Holenarasipur —

General and Revenue Secretariat | File No. | of 193 | [App. F. III—2

Serial No.

Petition dy 27. 10. 34 from C. Mahomed Ibrahim Sab of Vaniyambadi residing at Holenarasipur furnishing a copy of the registered sale deed of the house and the vacant land reserved to Mission purchased for Rs 900/- and stating that pending the disposal of the appeal petition orders be issued to hold the orders of the local authorities in abeyance.

8 The connected file (D. Nos 4014/34) is before the Second Member of Council. Submitted in continuation —

GS 29/10 1/11

(II Member)

dy Secretary 1/11/34

Returned linked & restored to the file

THE COUNCIL. SECOND M. 1 NOV 1934 No. 3207

2/11

(10) Vide page 3 — para 4, for orders. Volume XVI

GS 3/11

Letter No H. C58 dy 24. 5. 1935 from the Muzrai Commissioner stating that for reasons specified in the Deputy Commissioner's letter of 2/5/35 it does not seem possible to allow any concession to the petitioner, C. Md. Ibrahim Sab of Holenarasipur re: his eviction from a house and open space in

GS 3/11

NOTE—Contn. Sheet

WD 01955—GPB—22,500—12-6-34

67 35 P

Prayer of Md Ibrahim

Hereditary Sri Lakshmikanthaswamy

Inam File No. temple lands — of 193 | General and Rev Secretariat

belonging to Sri Lakshmikanthaswamy temple at the place.

11) Kind reference is invited to Govts Nos 134 / Inam 6-32-2 dt 18-4-1932, No 665 ✕ Mag J
Inam 15-4-32-2 dt 27-10-32 nos 1468 ✕ R
Inam 246-33-3 dt 8/5/34 issued to Messrs ✕ Q
Nanjappa and Md Ibrahim Sahib (the present petrs) on the subject of the their Stamped petns, the petrs have been told, both in appeal and in review that their prayer cannot be complied with.

12) The present report (P.H.D. II) is subject to reference to para 4 page 3 of the note. In view of what has been said in para ⑦ of the D.C's report of 25.3.35 it is respectfully submitted that no further consideration is called for, as the question has already been considered in Govt Memo No 421/Inam 220-34-4 dt 21/5/35 addressed to the M.C. ✕ (Letter à File) — Vide also Govt Memo on the representations of the petrs.

13) Submitted with respect to II member's orders at para 4 supra. The Law Dept may be consulted as to whether, if the Md's present claim is accepted, there will be any legal difficulty.

28/5/35

14) J.A. 28/

Asst Secy, Law Dept

Law dept 29/5

Ch Secy)

Asst Secy, Law Dept
with Compts

Serial No.

15) The pet^r says that he is a bona fide purchaser of the land in question and has built a house at a cost of Rs. 1000/-. and therefore prays to allow him to retain that portion of the land subject to such Conditions as may be imposed by the D^C^. The particular portion of the land is a part of the Devadaya niam belonging to the Mun. Co. The pet^r ought to have been more of his title to the land as a prudent purchaser His present Contention that he is a bona fide purchaser does not stand. The DC for the reasons stated in para 7 of the R.W.D. is not in favour of granting any Concessions to him. There seems no legal difficulty to evict him from the niam land.

ISD 31/5

16) Please see if the proviso to Sec 10 of Reg^n VII of 1927 is not applicable to this case.

PRL 31/5/25

17) The pet^r seems to be in possession of the property since 1919. There can therefore be no adverse possession for a period of 12yrs as Contemplated in the proviso of the Reg^n which Came into force from 14.9 The property the proviso is not applicable to his Case. and the properties have to be summarily resumed under sec 10.

18) But he can certainly add the period during which his predecessors in title were in adverse possession of this property.

19) When was the sale by Mr Brassador & when did the Court sale take place? ISD 1/6.

PRL 1/6

NOTE.—Contn. Sheet

WD 01955—GPB—22,500—12 6-34

Q. No. 91

Mil ), File No. of 193 General and Secretariat

Information required is not available in the file
the Advt Br may be requested to obtain the same
and returned the file for further opinion

ISD 4/6

Mar Br) 21) MM 4/6

Dft. Calling for information required in para
19 Supra Subd — Secretary
GV 5/6 7/6

No 1623 of 7-6-1935 to the Mysore
Commissioner Calling for additional
information.

7 JUN 1935 GENL & REV. SECTT

Letter No H.C 587/34-35 of 27-8-1935
from the Mysore Commissioner forwarding
Copy of letter of 1578/35 from the Deputy
Commissioner Hassan stating
furnishing information called for.

(6) The file will, if asked be sent to Law
Sect for information furnished by the
M.C (Vide para 18-20 Supra) Secretary for orders —)
GV 29.8.35 25)

88 30/8/35

Law Sect W.C)

GS 3578

Law MM 3/9/6

Serial No.

27) Refce para 15-19 Supra

The DC reports that the property in possn of the petrs was sold by Krishnasetty to Dadamiya Sab on 19-12-1906, and that Krishnasetty himself got possn of it thro' Court Ct on 18-3-1903. The petrs's Ca therefore Comes under the 2nd proviso of sec 10 of the R & Ch. Instns Regn

54 Law.

TSD 5/9

28) I think so. But the file may be sent duly to the AG for his opinion.

G.O.Ms.p 3735 dated 6.9.35

Dno 253/85-36 dt 7.9-35

29) Forwarded with Compliments to the Govt Advocate for favour of advice

B.O.

Asst Secretary
for General Secy
TSD 6/9

Dno 253/85-36

Returned with compliments.

30) The point is whether the land in question belongs absolutely to the Temple or whether the present claimant has any proprietory rights therein. This case has a very long history and the points which are now raised by the claimant have been concluded by the decision of the Government which was unsuccessfully sought to be re-opened by a number of review applications. No fresh points have been now urged to deserve a reconsideration of the previous decision. The lands admittedly belong to the Temple. During the Inam Settlement in the year 1877,

GENERAL DEPARTMENT

NOTE—Contn. Sheet.

WD 01955—GPB—22,500—12-6 34

1877, adverse claims put forward were rejected and the land was registered as Devadaya in the name of the Temple and those who were cultivating the land continued paying rent to the institution. In order to improve the resources of the temple it was recently thought desirable to lease out the lands afresh for periods varying from 10 to 50 years as the Petitioner and others were only paying a small amount fixed nearly 75 years ago. Another suggestion was also made that the land may be sold out/piecemeal for Rs.10,000/- among those who were cultivating the land all along. The Petitioner was prepared to accept this arrangement, c.f. among others, his petitions dated 28-3-34, 22-5-34 and 27-7-34. Mahommad Ibrahim Sahib, the present petitioner also agreed to pay his share of the amount and purchase the land. The land was, however, leased to others as he did not respond to the several notices issued by the local Muzrai Officers. That amounts to an admission on the part of the petitioner that the land is temple land and not his own. As the Petitioner and his predecessors in interest were also paying rent in cash, or 'kandayam' as he calls it and as he has not shown that it had been leased on any permanent tenure, his present claim does not deserve any consideration.. In the light of the above facts, no question of adverse possession arises in the case. The observations in 32, Mysore Chief Court Reports, 34, may be perused with advantage in this connection. It may also be observed that even in his present petition he says he is prepared to execute a Mutchalika accepting any reasonable terms

articles belonging to ~~[illegible]~~ Lakshmi
Narasimhaswamy Temple at Hosamaradoppa



terms that may be offered by the Government.

Government Advocate.
~~6~~-11-1935.

H.

GENERAL SECRETARIAT
1 NOV 1935

Mur Br)

8/11/35

Subs for orders in View of the legal opinion expressed in Para 3 of Supra.

G.S. 8/11

In View of the Govt advocate's opinion above the petn (Appd) may be rejected and he may be informed that his request cannot be considered.

8/11/35

Gen: Secy)

9/11

8/11

OFFICE OF THE HOME SECRETARY BOARD
11 NOV. 1935
No. 3090

First Member)

Please bring up

Sd

12/11

8/11/11

agree

Sd

27/1

2/11/36

NOTE—Contn. Sheet.

12) H/e narasimha temple Anss

Mug 3 File No. 320 of 1934-5

General and Revenue Secretariat

Submitted in accordance with the orders contained in paras 32 & 36 Supra

G.S. 29-1-36 Note 29/1 of the notes

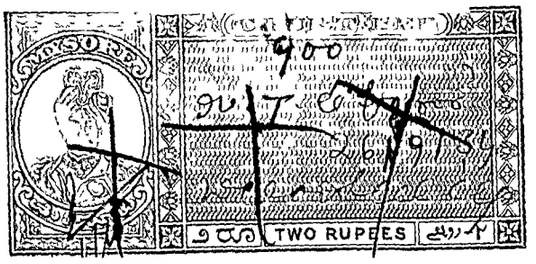
J.C.J. 30/1

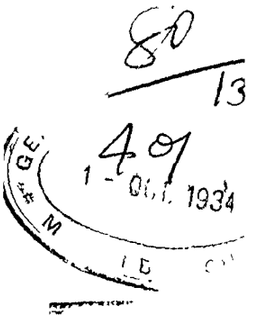
7

No 1054 dy 1-2-36 to the petitioner Sri Mr T. Appa Rao B.A. B.L. Advocate Bapatla stating that his request cannot be considered —

No 1055 dy 1/2/36 to the Mugrai Commissioner 8S 12/2

returning records received from him on the subject.




Before the Government of H.H. the Maharaja of Mysore.

Muzrai Petition No. of 34-35.

*****

Petitioner : C. Mahamed Ibrahim Sahib of Vaniambady but carrying on trade in Holenarasipur town most humbly and respectfully sheweth: -

1. That he purchased a house with an open space in the Town of Hole Narasipur - for Rs700/- in 1919, under a Registered Sale-Deed executed by Dadameah-Sah who in his turn purchased portions in Survey No. 92 from, one Krishnasetty, who in execution proceedings of a court sale became the owner. The house in question bears Municipal No. 815 and is yearly taxed by the Municipality.

2. The Petitioner is a Bona-fide purchaser of the house for valuable consideration and has been in enjoyment and possession thereof for over a sufficiently long period.

3. That owing to wife's illness at Vaniambady the petitioner was obliged to stay there for a pretty long time and was therefore not informed of the acquisition or resumption proceedings of Survey No.92 to 106 and others on the grounds they were Devadayam lands.--

4. The annexed affidavit shows that he was not served with any notice of the proceedings in the case.

5. The Petitioner is now served with a notice to vacate the building in the course of a fortnight and also bear the expenses of dismantling the house which has cost him over Rs1000/- including the costs of improvements effected since 1919.

6. By this act of the authorities, the petitioner will be obliged to incur heavy losses, which to recover from party concerned will involve them endless litigation for - breach of covenant of title etc., and finally in driving parties to the verge of ruination.

7. It is further submitted that the land purchased is not being cultivated as other portions S. No. 92 and which condition above is the criterion for the whole sale acquision of the lands endowed to the temple.

8- That wherefore the petitioner respectfully begs that he is willing to executing any under-taking in writing in favour of the Deity on such terms as may be considered reasonable by the Government and also pay such solatium to the present purchaser if he is permitted to continue to enjoy the two houses and the open sold out to him in the interest of the Temple.

Bangalore
26-9-1934
29.9.34

Petitioner,

15

660/Mwz . 9 3-11-34

Forwarded with Compliments to the

Mysore Commissioner for favour of

report together with the enclosed records.

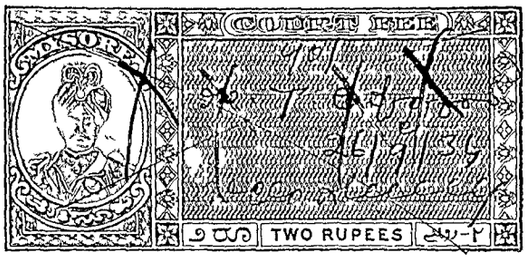
By order

[signature]

3/11/34

for Chief Secretary to Govt

GS




# IN THE COURT OF Before the Govt. of His Highness the Maharajah of Mysore.

NO. OF 193 –193

***Appellant Plaintiff.*** ***Respondent Defendant.***

Mr. Mohd Ibrahim Sahib, Merchant Holenarsipur (Hassan Dist) } Vs. { 

above named do, by these presents, retain

to appear and conduct the above case on behalf to judgment.

2 ——— further empower him to do all necessary acts in the above case, to execute any decree or order that may be passed in behalf, and to receive from the Court all document, refunds and all sums of money that may be entitled to get and grant receipts therefor

3. also undertake to confirm and ratify all the acts done by the said Advocate or by any other Advocate on his behalf in so doing

26/9/~~1935~~ Bangalore city

C. Mohd Ibrahim (sd) Tamil

*Personally known to me and signed in my presence*—ACCEPTED.

*Advocate.*

*Advocate for* Petitioner

29/9/84

29.9.34

*Sold by* VIDYA VILAS, Book Depot, Chickpet, Bangalore City

724 30 Makkala Pustaka Press, B City

ಈ ಫೈಲಿನಲ್ಲಿರುವ ಎಲ್ಲಾ
ಕಾಗದಪತ್ರಗಳನ್ನು ಸಹಿ ಮಾಡಿರುವ
ಪೈಲ್ ಮಾಡಿರುವ ಬಗ್ಗೆ ಮತ್ತು
ಸಾಕ್ಷಿದಾರರನ್ನು ಪರೀಕ್ಷಿಸಿರುವ ಬಗ್ಗೆ
ನಿಜವಾದ ಸಾಕ್ಷಿ ಹೇಳಿಕೆ ಕೊಟ್ಟಿರುತ್ತೆ

ಸಿ. ಮಹಮ್ಮದ್ ಇಬ್ರಾಹಿಂ

ersons identified by

ಸಿ. ಮಹಮ್ಮದ್ ಇಬ್ರಾಹಿಂ ಸಾಹೇಬರು

SWORN TO BEFORE ME
V. Krishnaswami
Sheristadar,
DIST. & SESSIONS COURT
BANGALORE CITY.
26/8/84

M. 16 A

No. 141 Receipt No 32

.....Municipality,
Division No.....

Received this day Rs. ( ) in words.....as detailed
below in respect of premises No. / License fee on ... Street.....

| Reference to Demand and Collection Register | Nature of taxes | | Arrears | Current half-year | Total |
|---|---|---|---|---|---|
| | House Tax | | | | |
| | Land Tax | .. | | | |
| | Shop Tax | .. | | | |
| | Cart Tax | ... | | | |
| | Water Tax | .. | | | |
| | Lighting Tax | ... | | | |
| | Special Sanitary Cess | ... | | | |
| | Total | ... | | | |

Date.....

.....
Shanbhog.

WD 01765—GPB—600 books of 140 pp each—23-6-31

M. A. M. 16 B]

A

Book No. 141

Receipt No 33

..... Municipality

Division No. .

Received this day Rs. ( ) in words ..... as details below in respect of premises No. License fee on ... Street .....

| Reference to Demand and Collection Register | Nature of taxes | Arrears | Current half-year | Total |
|---|---|---|---|---|
| | House Tax | | | |
| | Land Tax .. | | | |
| | Shop Tax .. | | | |
| | Cart Tax ... | | | |
| | Water Tax .. | | | |
| | Lighting Tax ... | | | |
| | Special Sanitary Cess ... | | | |
| | Total ... | | | |

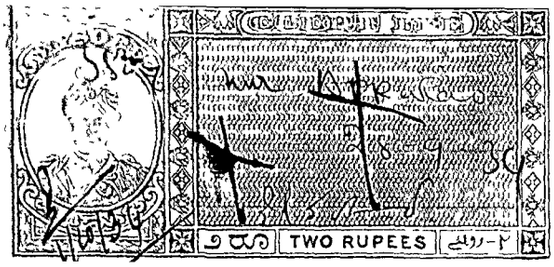
Date.....

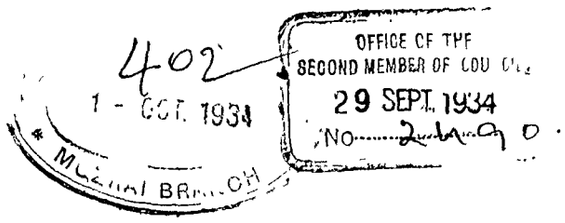
.....
Shanbhog.

WD 01765—GPB—600 books of 100 pp each—23-6-31

Assistant Commissioner
Hassan Sub Div
Hassan

5/10/91.3




Before the Government of H.H. the Maharaja of Mysore.

*****

Mis. Muzarai Petition No. 34-35

Petitioner: C. Mahamad Ibrahim Sahib, Hides Merchant, Holenarasipur, respectfully submits --

1. That he has filed an application before the Government to re-consider the decision re: the demolition of the solid structure bearing Municipal Nos. 815 and 819 , in the town Holenarasipur and which he acquired under a Registered Sale-Deed of 1919 for a sum of Rs700/- from its owner Dadamia Sab.

2. That he is now served with a notice of eviction by the S.D.O. of Holenarasipur Division in which he is given a fortnight time from 19th instant to vacate etc.

3. That he also learns that the revenue authorities intend taking action under - Section 209 of the Mysore Land Revenue - Code and recover the expenses of demolition from the petitioner.

4. This petitioner is a bona fide purchaser

purchaser for value and was not
of any conditions imposed on the
of the house in question.

5. That under conditions of the sale he is at least entitled to recover the consideration paid or such damages incurred by him for breach of covenant of title as against the vendor and others.

6. That the interest of the temple will not in the least degree the advanced by pulling down the costly building while the structure if allowed to remain will fetch a rental of Rs120/- a year which is no small income for the institution for whose benefit the order is being enforced

7. Wherefore the Petitioner begs that the order of eviction passed by sub-division Officer may be held in abeyance pending disposal of this application by the benign Government of Mysore.

Petitioner.

Bangalore }
29/9/1934. }

In Continuation.

Before the Government of H. H. The Maharaja of Mysore.

The petitioner C. Mahamed Ibrahim Saib of Vaniambady respectfully submits:-

1. That the original registered Sale Deed of the house and the vacant land in question is filed before the Sub Division Officer at Nolenarsipur and a copy from the Sub-Registrar is herewith filed for ready reference. It is for hard cash of Rs. 700/- paid to the then owner on 3rd August 1919.

2. The urgent notice issued by the Taluk authorities to the effect they would take action under Section 209 of the L.R.C., is hereto annexed.

3. That the petitioner is not in wrongful possession of the premises from the date of Sale in his favour i.e. from 3rd August 1919, and therefore section 209 of the L.R.C., appears to be inapplicable to the present case.

4. That for these and other reasons detailed in the petition of 29-9-34 it is respectfully prayed that the order in question be held in abeyance pending the final disposal of the case.

27

28

GENERAL AND REVENUE SECRETARIAT,

D. O. No. 664 Mcz

*Dated, Bangalore* 3rd November 1934.

Dear Sir,

With reference to petitions presented on 29.9.34 and 27.10.1934, on behalf of Mr.C.Mohamed Ibrahim Sab of Holenarasipur, praying for a stay order re: the building on S.No.92 of Holenarasipur, I am directed to inform you that the petitioner's reques for the stay order cannot be granted.

Yours faithfully,

Sd/- R. Ranga Rao,
Chief Secretary to Government.

To
Mr.T. Appu Rao, B.A., B.L.,
Advocate, Balepet, Bangalore City.

Memo No. 665/Mcz Dated, 3rd November 1934.

Copy of the above, is forwarded, to Mr.C. Md. Ibrahim Sab of Vaniyambadi, residing at ~~Hole~~-

Holenarasipur for information.

By Order,

For Chief Secretary to Government

P.2.

3 Copies

*Diary No. of letter replied to* 6014402

General and Revenue Secretariat

( )

*the* *193* .

Date of issue 3-11-34

Signed by MRB Muthukrishnappa

List of enclosures .....

Copied by .....

Examined by.....

**Section** MN3

**File No.**

**Serial No.**

No. 664

To

Mr T. Appu Rao BA BL

Advocate. Balepet.

Bangalore City

Dear Sir,

With reference to the petitions presented on 29/9/34 & 27/10/34 on behalf of Mr C. Mohamed Ibrahim Sab of Holenarasipur praying for a Stay order re: the building on S. No. 92 of Holenarasipur, I am directed to inform you that the petitioners request for the Stay order cannot be granted —

Yours faithfully

3/11/34

for Chief Secretary

WD 01956—GPB—22,500—12-6-34

P. T. O

Copy to Mr C. Md. Ibrahim Sahib
of Vaniyambadi residing at
Hosur as in for information
B-O

8/11
for Chief Sec

G S
8/11

D.No 1285
34-35

58/34-35
Encl 1 file

OFFICE OF THE MUZRAI COMMISSIONER,
IN MYSORE,

*Dated. Bangalore,* 22nd May 1935

Pers 320-34-4

FROM

N. MADHAVA RAO, ESQ., B.A., B.L.,
*Muzrai Commissioner in Mysore,*

M. V. Anantaraman, Esq.,
Chief *Secretary to the Government of His Highness*
*the Maharaja of Mysore,*
Bangalore. *Department.*

SIR,

Eviction of C. Mohamed Ibrahim Saib from a house and open space in S.No.32 of Holenarasipur belonging to Sri Lakshminarasimhaswami Temple at the place.

---

With reference to your letter No.660/Muz. dated the 3rd November 1934 forwarding the petition from C. Mohamed Ibrahim Saib of Holenarasipur regarding the above I have the honor to forward herewith copy of Hassan District Deputy Commissioner's letter No.753/34 dated the 2nd May 1935 and to state that in the circumstances reported by the Deputy Commissioner, it does not seem possible to allow any concession to the petitioner at this stage.

The connected records along with the petition are herewith sent for reference and return.

I have the honor to be,

Sir,

Your most obedient servant

N. Madhava Rao
Muzrai Commissioner.

Letter No.C.753-34 dated 2-5-35 from the Deputy Commissioner, Hassan District, to the Muzrai Commissioner in Mysore.

---

Subject:- Eviction of C. Mohamed Ibrahim Sab of Holenarasipur from a house and open space in S.No.92 of Holenarasipur belonging to the Sri Lakshminarasimhaswami temple at the place.

---

With reference to your Official Memorandum No.M.C.53/34-35 dated 16/20th November 1934 on the above subject, I have the honor to state as follows:-

2. S.No.92 referred to by the petitioner is one of the inam lands granted to the Sri Lakshminarasimhaswami temple at Holenarasipur. It is a garden land measuring 3-2 and assessed at Rs.7/ The records connected with the leasing out of this land and other inam lands of the temple called Boppinathota etc already been submitted to you with my letter No.C.753-34 dated 11-8-35. As already explained in this letter, the lease of the lands was approved by you in No.D1 Dis.109/30-31 dated 25th November 1930 fixing the period of the lease for 10 years commencing from the year 1930-31 and the rate of gutta payable by the lessees was fixed at Rs 25/- per acre. The petitioner referred to in this case (C.Mohamed Ibrahim Sab) who was in the possession of 12 guntas of land as old lessee having failed to execute the necessary mutchalikas agreeing to accept the conditions imposed by you, the portion of land held by him was leased to one Thammiah, the lessee of the adjacent land, who agreed to take up the same. In order to put this new lessee in possession of this land as well as the other new lessees in possession of the lands held by some other old lessees who did not avail themselves of the concession shown to them, the taluk authorities took action to evict them from the portions of lands held by the lessees. Upon enquiry it was found out that a portion of 9 guntas also held by Gundu Sab was in the possession of the petitioner C.Mohamed Ibrahim Sab, that houses have been constructed on both the portions that were in their enjoyment and that these portions of land could not be taken possession of and handed over to the possession of the new lessees. This fact having been reported to the Sub Division Officer, eviction notices were issued under Sec.30 of the Land Revenue Code. The notice issued against Gundu Sab was returned with the remark that he was residing at Govindapuram in the Madras Presidency and the other notice issued to the petitioner was returned with the remark that he has no intention to go against the orders of the authorities, that he has obtained possession of the portions of the lands on payment of heavy amount, that there will be much loss in case he is evicted from their possession, he has preferred an appeal to you and that he cannot vacate the same until it is disposed of. The notice issued to Gundu Sab by registered post has been

cused and returned .

n enquiry ade by the Sub Division Officer, the petitioner has stat
hat he has purchased the portion of land held by him from one Hyder Beig
nd others in 19-20, that he may not be dispossessed of the land as he is
re ared to pay whatever gutta is due to Government, that he would not have
urchased the land if he had only known that it is a devadaya inam land and
ut he cannot lso hand over the possession of the other house of Gundu
b with ut his consent an that he is prepar d to pay a rent of Rs 4/- per
onth.

A registered document dated 8th October 1919 has also been produced by
he petitioner to show that he has purchased the land in question for one
ider Beig alias adamiah Sab which is not valid under Sec. (i) of the Mysore
eligious an Charitable Institutions egu ation VII of 1927.

On a representation ade to Government by this and other old lessee one
ajappa, their prayer as rejected and an endorse ent issued to them and
opy of the said endorse ent co unicated to this office in our No.D2-Dis.
03/33-34 ated 30-3-34 is enclosed to the file.

The pr yer of the petitioner according to his present pplication is
hat the portions of lands a be leased out to him on such terms as ay be
aid and reasonable he is illing to e cute ny undertaking in writing
n favour of the te ple and also to pa such solatium to the present lessee.

The Tahsildar has reported that the new lessee Thammaiah who has taken
the gutta on this portion of land is paying the gutta amount every year
.e. since 1930-31, that the petitioner though informed ay a time failed
o tak the lease, that if con ession is shown to the petitioner the re-
maining old lessees who did not avail the selves of the o portunities given
o the will also have to be shown the sa e concession thus causing lo s to the
e present lessees, that in case the prayer for the petitioner is granted,
t is ex pected that none will come forward to take up the lands in future
or cultivation and that herefore the petitioner is not entitled to any
con ession, and orders ay be pas ed d rectin the viction of the petitioner
o the l nd.

Since the fresh lease has been sanctioned from 30-31 the total lease
p riod will e nd of 34-35 at the rate of Rs 2./- per acre comes
to-Rs- as noted bel w:-

| | |
|---|---|
| For the portion of 1 untas of land at Rs 5-10-0 a<br>ear for 5 ars till the end of 34-35 . | 28- 2-0 |
| For the portion of 12 untas of land at Rs 7-8-0 a<br>ear for ears till the end of 34-35 | 38- 8-0 |
| Total | 66-10-0 |

On presentation of an application on 13-3-35 by the petitioner through his counsel Mr. N.Srikantiah, a stay order has been issued by my predecessor in this case.

The connected records ending with the Hassan Sub Division Officer's No.C3-1521-34 dated 27-2-35 along with the petition referred to in your Official Memorandum under reply accompany for reference and kind return when no longer required.

---

"C O P Y"

For Huzrai Commissioner.

35

**GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE**

**General and Revenue Secretariat**

No. 1623 *Dated, Bangalore,* 7th June 1935.

Mg 320-34-5

*From*

The Offg. *Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

*To*

The Muzrai Commissioner in Mysore,

Bangalore.

*Sir,*

With reference to your letter No.M.C.58/34-35 dated 24.5.1935, submitting a report on the petition of one Mr. C. Md. Ibrahim Sab of Holenarasipur re: his claim for a house and open space in S.No.92 belonging to Sri Lakshmi narasimhaswami Temple at the place, I am directed to request you to be so good as to state when the sale of the property referred to above in favour of Dadamiya was effected by Krishna Setty and when the court sale of the same took place. The records received with your letter under advertence are herewith returned for reference and retransmission with your reply.

I have the honour to be,
Sir,
Your most obedient servant,

For Offg. Chief Secretary to Government.

18

F·G—1]

SUBJECT .....

.....

.....

Section

File No.

Serial No.

*Diary No. of letter replied to* ..... ....

No. 623 Secret file

To

The M.C

Sir,

General and Revenue Secretariat

( )

*the* *193* .

Date of issue . ....16-35.....

Signed by Mr B Muddukrishnappa

With reference your letter No H.C 58/34-35 dt 24.5.35 submitting a report on the petition of one Mr C. Md. Ibrahim Sab of Hosamaramma re his claim for a house & open space in Sy No 92 belonging to Sri Lakshmikanthaswamy temple at this place. I am directed to request you to be so good as to state when the sale of this property & house belonging to the said

List of enclosures .. ..... .... ..... .....

Copied by .....

Examined by ..... ..... ..... .....

favour of Dada Mirza & Co, Krishna Telly
and when the Court Sale of the
same took place. The records
received with your letter under
advance are herewith returned
for necessary transmission of bills
your receipt -

Shaw Ltd
£ 7/6
For Chief Secy

5/6/25

4458 Encl Records
34-35

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

*Bangalore,...* 21st August *193* 5.

27.

GENL. & REV. SECRETARIAT
238
29 AUG 1935
MUZRAI D.

FROM

N. MADHAVA RAU, ESQ., B.A., B.L.,
*Muzrai Commissioner in Mysore,*
*Bangalore.*

To

H. V. Ramaswami, Esq., M.A., B.L.,
*Secretary to the Government of His Highness*
*the Maharaja of Mysore,*
General ..... *Department*

17 AUG. 1935

SIR,

The claim of Mohamed Ibrahim Sab of Hole-Narasipur for a house and open space in S.No.92 belonging to Sri Lakshminarasimhaswamy Temple at the place.

---

With reference to your letter No.1623/Muz. dated 7th June 1935 re: the above, I have the honor to forward herewith a cop of letter No.D.S.R.241-34 dated 15th August 1935 from the Deputy Commissioner, Hassan District, furnishing the particula required by you.

The records accompany for reference and return.

I have the honor to be,
Sir,
Your most obedient servant,

N. Madhava Rau

Muzrai Commissioner.

Appendix F G—1]

SUBJECT .....

.....

.etter No.D.S.R.241-34 dated 15-8-35 from the Deputy Commissioner, Hassan District, to the Muzrai Commissioner in Mysore.

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Subject:- Further information re. the claim of Mohamed Ibrahim Sab of Holenarasipur for a house and open space in S.No.92 belonging to Sri Lakshminarasimhaswamy Temple at Holenarasipur.

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With reference to your Memo No.H.C.58/34-35 dated 11-6-1935 on the above subject, I have the honor to forward herewith the connected records ending with Hassan Sub Division Officer's No.D.S.R.106-34 dated 10-8-1935 and to state as ollows:-

2. The Amildar reports that the property now in the possession of the petitioner .Mohamed Ibrahim Sab was sold by Krishnasetty to Dadamiya Sab on 19-12-1906 for s 100/- and has also submitted a copy of the registered sale deed. This sale leed shows that Krishnasetty got possession of this property through civil court sale on 18-3-1903.

3. The records received with your Memo under reply, along with the copy of the sale deed etc., accompany for reference and kind return when no longer required.

---

"COPY"

For Muzrai Commissioner.

a house was ... a/m. ... S.No 92

Appendix F (G—1)

SUBJECT .....

.....

.....

Section Mug

File No. 320-34

Serial No. 7

*Diary No. of letter replied to* .....

No. 1054

To C. Mohamed Ibrahim Saheb merchant, Hole Narsipur,

c/o Mr T. A Abdul Hug B A B L

Advocate Bala [illegible] Bangalore City

General and Revenue Secretariat

( )

*the* *193*

Dear Sir.

With reference your letter dated 29-9-34

Date of issue 1-2-36

Signed by [illegible]

~~A letter was received on behalf of~~ ~~Mr C Mahomed Ibrahim Saheb~~ ~~of Bangalore stating that business~~ ~~had to transpire in the matter~~ ~~of~~ a house with an open space appertaining to S. No 92 ~~in~~ ~~Hole Narsipur~~ belonging to Sri Lakshmi Narasimha Swamy temple at Hole Narasipur, I am directed to inform you that the request is rejected and that the

List of enclosures .....

Copied by .....

Examined by.....

your request of ~~the petitioner for~~ ~~transmission to~~ according to the

~~Sold ... to him in the interest ...~~
Conveyed thereon
~~except~~ Caveats to be withdrawn.

Yours faithfully
30/1/36
for Secretary

Copy to Messrs C. Md Abrahamsohn, Merchant
~~A~~ Advertisement for information

A-O

Note

There is no necessity to ... the ... and a copy of ... publication as well as ... Public Trustee ... communicate to the ... publication through ... a ... date ... Gazette ... the ... advertisement ... the ... copy of the ... to the ... and ... address.

For Secretary

Memo 1055/Pur 320-34-7 Encl Receipt
Copy to M.C. returning receipt
21-2-36
received with his letter re
HC 587 34-35 of 24-5-1935

A. O

30/1/36

TV 29.1.36 For Secretary